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Survey on Education & Wellbeing of Children in MICA Mining Areas of Jharkhand & Bihar

A Report by

NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS

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Article 39 (f) of the Constitution of India

“That children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.”

PREFACE & ACKNOWLEDGEMENT

The Constitution of India guarantees Fundamental Rights to all children in the country and empowers the State to make special provisions for them for their protection and development. The State is responsible for ensuring that childhood is protected from exploitation and deprivation. The Government has accordingly made laws, policies, plans and programs to this effect. Children at work are a socio-economic issue. However, Government of India stands committed to the elimination of child labour in the country. Constitution of India provides for protection of children from involvement in economic activities and vocations unsuited to their age.

Enactment of Child Labour (Prohibition and Prevention) Amendment Act, 2016 is a landmark step in the Endeavour to have a child labour free society that provides for complete prohibition on employment of children below 14 years in all occupations and processes and prohibits employment of adolescents (14-18 years) in hazardous occupations and processes. Correspondingly, Right of Children to Free and Compulsory Education Act (RTE), 2009 ensures free and compulsory education to all children in the age group of 6 to 14 years and mandates private schools to shoulder the responsibility of providing easy and free access to children from low socio-economic background preventing child labour and promoting education. In addition, Government is implementing National Child Labour Project (NCLP) to adopt a sequential approach with focus on rehabilitation of children working in hazardous occupations & processes.

National Commission for Protection of Child Rights (NCPCR) has been taking several initiatives in protecting the rights and interests of the children in the country by conducting investigations, redressing complaints, issuing guidelines, advisories, protocols, conducting studies, creating awareness, training etc. Fact finding exercise is one of the basic activities adopted by the Commission to enquire into specific matters. Fact finding is undertaken as per the functions and powers provided under Section 13 (1) of the Commissions for Protection of Child Rights (CPCR) Act, 2005. Accordingly, in view of the contradictory reports on involvement of children in mica mining areas and lack of clarity on data and information on the same. National Commission for Protection of Child Rights (NCPCR) decided to undertake a survey on ***“Well-being of Children in Mica Mining Areas of Jharkhand & Bihar”*** The survey covered the districts of Koderma and Giridih in Jharkhand and Rajauli Block, Nawada district in Bihar.

NCPCR organized the Convergence meetings at district level with district administrations and all concerned authorities, agencies as well as State level convergence meeting. The exercise was

carried out in collaboration with Jharkhand State Commission for Protection of Child rights (JSCPCR), District Administrations of all three districts and development agencies.

The initial key findings of the report was shared with Shri Raghubar Das, Hon'ble Chief Minister of Jharkhand in a programme-Towards Child Labour Free Mica, organized by Shri Kailash Satyarthi Children's Foundation (KSCF) on 28th October, 2018 at Koderma, Jharkhand.

I would like to extend my sincere gratitude and regards to Ms. Stuti Kacker, Former Chairperson, NCPCR for her guidance and making the exercise more comprehensive one.

I take the privilege to acknowledge the active involvement of Ms. Arti Kujur, Former Chairperson Jharkhand SCPCR, Ms. Sharda Subramaniam, IGEP, Shri Bhuban Ribbu, Kailash Satyarthi Children's Foundation (KSCF), Shri Sanjay Mishra, Bhartiya Kisan Sangh Ranchi. I would also like to thank Shri Dushyant Meher, Consultant , NCPCR for his contribution.

The enormous support received from the district and local administrations especially from the district of Koderma and Giridih, Jharkhand and Nawada, Bihar. I would also like to mention that the involvement of local officers from the Departments like School Education, Integrated Child Development Services (ICDS), Integrated Child Protection Scheme (ICPS), District Child Protection Unit, Teachers and Anganwadi Workers made the survey possible. I would also like to thank all the agencies and NGOs who helped in the exercise.

(Priyank Kanoongo)
Chairperson

EXECUTIVE SUMMARY OF PRELIMINARY FINDINGS

National Commission for Protection of Child Rights (NCPCR) constituted under the Commissions for Protection of Child Rights Act, 2005 is taking several initiatives in protecting the rights and interests of the children in the country by redressing grievances, conducting investigations, issuing guidelines, advisories, protocols, conducting studies, creating awareness, training etc. Fact finding on specific issue is one of the fundamental activities adopted by the Commission to enquire into specific matters. The Fact finding exercise is undertaken as per the functions and powers provided under Section 13 (1) of the Commissions for Protection of Child Rights (CPCR) Act, 2005.

Commission is committed to reach out to the last child to address the violations he/she is facing and alleviate their status from vulnerability to a secured social safety net through various interventions including complaint redressal, policy intervention, regulatory intervention, program activity, special investigation, recommendation and conducting studies. The Commission has observed that a section of children in mica mining areas are deprived of opportunities and reportedly work as child labour to supplement their family income. These children may be facing several developmental issues and their rights may have been violated. There are several media reports including national and international, portraying the abysmal picture of the children engaged in mica mining areas.

It may be noted that the Indian Constitution accords rights to children as citizens of the country, and in keeping with their special status, the State has even enacted special laws. The Constitution, promulgated in 1950, encompasses most rights included in the UN Convention on the Rights of the Child as Fundamental Rights and Directive Principles of the State Policy. There are certain Constitutional Guarantees for children for their rights to education, protection, development and participation. National Commission for Protection of Child Rights has been mandated to monitor three such Acts meant for children i.e. Right to Education Act, 2009, Prevention of Children from Sexual Offences Act, 2012 and Juvenile Justice (Care & Protection of Children) Act, 2015. The provisions provided under these three Acts are also applicable to the children who are in child labour especially for their rescue, rehabilitation, examining for if there are sexual offences, re-engaging with school education and providing them shelter. Therefore, it was all the more important for the Commission to take appropriate measures to address the issue of children being involved in child labour.

It was also felt that this issue cannot be addressed sitting at the Delhi office without involvement at the field level. Taking the spirit of the speech of current Prime Minister Shri Narendra Modiji – delivered at the land of Koderma on 2nd April, 2014; the Commission decided to assess the field situation.

Accordingly, the Commission has taken the initiative to conduct a survey on ***“Education & Wellbeing of Children in Mica Mining Areas of Jharkhand & Bihar”***. The objectives of the survey were to find out the educational status of children in the mica mining areas, number of children who are not attending school, whether children are involved in collecting mica scraps, if vocational trainings are provided to the adolescents, and the presence of NGO’s in the area.

To take the initiative in conducting a survey in the mica mining areas of Jharkhand and Bihar, a convergence meeting was organized on 02.05.2018 at Koderma for the districts of Koderma & Giridih and on 03.05.2018 at Nawada for Nawada district to ensure the rights of these children and to facilitate the survey. In these meetings all the Stakeholder Departments of the District Administrations, Local Authorities, NGOs and Development Partners had participated. The objectives of the meetings were to discuss the modalities and seeking collective effort to conduct a stock taking survey in the villages/habitations in mica mining areas and to organize a convergence meeting with State & District Departments, Local Authorities, NGOs, and Development Partners etc. to ensure the rights of children in mica mining affected areas.

In the meeting, modalities for collection of data/information (habitation-wise) was discussed and finalized. The tool prepared by IGEP was discussed and finalized to administer the tool for data collection on children of 0 to 6 years and of 6 to 18 years. The survey was conducted by the Teachers and Anganwadi Workers under the supervision of the Block Education Officers (BEO) and Child Development Project Officers (CDPOs). The NGOs helped in organizing training of the Block level officers, Teachers and Anganwadi Workers and in logistic work. As per decision, survey was conducted in mica mining Panchayats of both the districts (110- Panchayats in Koderma & 31 Panchayats in Giridih) and Rajauli Block of Nawada, Bihar. The District Child Protection Officers from Koderma & Giridih were the nodal officers.

KEY FINDINGS

- (a) Children in the age of 6 to 14 years not attending school:** There are a large number of children not attending school in the areas where survey was conducted. However, these children mostly are enrolled in the school as per DISE data. As per the survey, there are 4545 children in the age group of 6 to 14 years in the area of Jharkhand reported as not attending school. Similarly, 649 children reported as not attending school in the survey area of Nawada district. It was also observed that initiatives are underway to ensure these children come to school regularly. However, it requires close monitoring to ensure the attendance of children in the school and their learning. Therefore, the data has been shared with the district authorities with recommendation to re-engage the children as per the provisions of Right to Education Act, 2009. Subsequently, the District authority have informed the Commission that they have already started for the same. However, the situation will have to be assessed in mid-session of the academic year.

- (b) **Reasons for not attending the school:** There are various reasons cited by the respondents regarding children not attending school due to the reason which includes domestic help at home, apprentices, lack of aspiration, lack of interest also cases of collecting mica scraps reported by the families. This was also shared with the district authorities for corrective action.
- (c) **Cases of Under-nutrition reported at Anganwadi:** The survey also captured information related to the cases of under-nutrition. In case of Giridih and Koderma, the under-nutrition cases reported in 14% and 19% of the habitations/ villages respectively in the survey area. In case of Nawada, 69% habitations/villages have reported that some children are under-nourished. The Poshan Abhiyan with Anganwadis and Health Workers are actively working towards addressing the problem of nutrition. The issue further calls for effective collaboration of all the stakeholder Departments, Development Partners and NGOs at the local/habitation level interventions with the families and communities.
- (d) **Availability of Mid-day meal:** This aspect of school education was very encouraging. The survey shows that in almost 98% schools, proper mid-day meal is provided in case of Nawada and Koderma. In case of Giridih, mid-day meal is provided properly in 95% schools. In remaining about 2 % schools in Nawada & Koderma, 5 % in Giridih; efforts are evident for improvement.
- (e) **Out of School Adolescent Girls:** In the survey area of Jharkhand, 4988 adolescent girls in the age group of 15 to 18 years are reported out of school. It may be noted that Right to Education ensures free education to the children in the age group of 6 to 14 years only. The corresponding number for survey area of Nawada is 212. These girls are vulnerable on many counts including for child marriage and child labour. Therefore, these adolescent girls need education and skill training for their development and protection.
- (f) **Vocational Training for Out of School Adolescent Girls:** Anganwadi is the important platform for the adolescent girls to avail the vocational training services. However, a very low percentage of adolescent girl 36% habitation/villages in Koderma, 57% habitations/villages in Giridih and only 13% habitations in Nawada are availing the benefits of vocational training at Anganwadi centers. There is a need to ensure the quality of services at Anganwadi to attract more adolescent girls and at the same time need to motivate the Adolescent girls to attend the Anganwadi services.
- (g) **Job oriented vocational courses:** The situation in relation to job-oriented courses for boys was dismal in all the three districts. In Koderma around 93%, Nawada 92% and in case of Giridih around 86% boys do not receive any training for job-oriented courses.

There is a need and scope to provide job oriented vocational courses to the adolescent boys and girls.

- (h) **Habitations where children go for Mica Scraps collection:** It was also mentioned that children in the age group of 6 to 14 years in 45 habitations of Koderma, 40 habitations of Giridih and 15 habitations of Nawada go for mica scraps collection. This is against the spirit of childhood and violation of the rights of the child. The corresponding number for children in the age group of 15 to 18 years are 47 habitations in Koderma, 34 habitations in Giridih and 15 habitations in Nawada district. The matter was also shared with the District authorities for necessary action.
- (i) **Presence of NGOs in the survey area:** It was observed from the survey that 24 NGOs are working in the mica mining areas where the survey was conducted. Presence of NGOs is maximum in Koderma as there are 18 NGOs reportedly working in the district, there are 7 NGOs present in Giridih and only 4 NGOs are reportedly working in Nawada (Rajauli Block). It was observed that there are duplication of effort and resources by the NGOs as more than one NGO is working in the same location on similar issues. Further the Commission is in the process to align the data received from NGO with the NGO Darpan. However, the working of 1098 Childline is not appreciable for their inaction given the fact that number of children are involved in collecting mica scrap which was found not reported by the Childline.
- (j) Some of the good practices and concepts being adopted by NGOs have come into light.

KEY RECOMMENDATIONS

- I. **Principle of Accountability:** The Commission believes that the concept of principle of accountability in the mica mining areas wherein responsibility of the business houses to take responsibility of the supply chain free of unethical practices and adherence of the local laws. However, it was observed that the principle is neglected by the stakeholders including industries using mica from this region .
- II. The practice of certification of International Standards in mica mining areas was not covered in the entire region. At the same time it was also observed that some industries try to share responsibility to clean the supply chain, however, the approach is not serving the purpose due to lack of convergence with relevant stakeholders, monitoring authorities as determined in the laws of the land.
- III. **Implementation of the Provisions of Child Labour Act:** There are gaps in the implementation of The Child & Adolescent (Prohibition and Regulation) Act, 1986, its Amendment Act 2016 and Rules 2017 (notified on 2nd June, 2017) especially the provisions under Rules 2(B) (2).

IV. State Initiative on Mica Mining : In view of the fact that Mica is now a minor mineral a promise that is now fulfilled by the Central Govt. comes under the control of State Government; the mica mining may be formalized like other minor minerals. Though, the State initiative of formalizing the tender process for dumping area is much appreciated , however, needs more attractive provisions for the industries, State and regions. Some key suggestions that can create a sustainable business environment include;

(1) increasing in the tenure of lifting period,

(2) the value of performance guarantee should be appropriate

(3) The value of installment should be evenly distributed throughout the period

(4) Start-ups may be given relaxation as per the policy of Govt. of India which can offer a platform for the youth and young entrepreneur of the region .

This may help attract more people coming to the business that in turn will help generating more formal employment with better wages. Consequently, if families earn better wages children would be sent to school rather than involve in child labour or collecting mica scraps.

The Commission has observed that where organized sector businesses depends on unorganized sector , chances of the issue of child labour and unethical practices become high, whereas, an un-organized sector becomes formalized these issues can be addressed. Moreover, the formalized sector brings better wages , regularized employment, more formal economic activities which help strengthening the local economy and maintain socio-economic cohesion.

V. Action Plan: There is a need for a comprehensive action plan to address the issues of children in the mica mining areas and ensuring the effective delivery of public services to their families. The action plan should clearly define the roles of all the stakeholders and service providers with platform for convergent action at Habitation/village level, Panchayat level, Block level and District level.

VI. Ensure 100% Attendance in School: The Departments to ensure 100 percent attendance of children in the school especially in the age group of 6 to 14 years as Constitutional Rights of the children in this age group. It is suggested to use digital technologies to monitor the attendance at schools.

VII. Special Drives in the villages/Habitations: The administration may conduct special drives in the villages/habitations that are reported for children being out of school and children being involved in collecting mica scraps.

VIII. Abolitions of the Child Labour in the Area: A special drive to abolish child labour in the mica mining areas of the State of Jharkhand and Bihar.

- IX. Supply Chain in Mica Mining to be Free of Child Labour:** The supply chain of the mica mining and industry to be made free of child labour. No child to be engaged in any part of the mica mining process and collecting scraps. NGOs/Development Agencies should work with the Local and District Administration as well as with the industries to chalk out a strategy to make the supply chain of mica mining free of child labour.
- X. Strict Action against buyers of Mica Scraps from Children:** Strict actions may be taken against the buyers who buy mica scraps from the children. FIR should be registered against them under relevant sections.
- XI. Involvement of Skill Council for Mining Sector for skilling of Youth :** May consider to seek the involvement of Skill Council for Mining Sector to provide training to the youth of the area on different skills related to mining.
- XII. Nutrition for Children:** The national programme of Poshan Abhiyan may be implemented effectively in the area to address the issues of malnutrition amongst the children using locally available nutritious food and creating awareness related to nutrition.
- XIII. PENCIL Scheme:** The PENCIL scheme (Platform for Effective Enforcement of No Child Labour) may be introduced and implemented properly in the district of Koderma and Giridih to help in effective enforcement of no child labour in the areas.
- XIV. Residential schools & Hostels:** There should be residential schools and hostel facilities in the mica mining areas to accommodate children who are not attending school. This will help in ensuring education of children who are out of school or not attending school. More residential schools under the schemes like Kasturba Gandhi Balika Vidyalayas (KGBVs) and Ashram Schools may be established in the areas.
- XV. Certification:** Certification for the supply chain process is free of child labour may be encouraged for mica industry. This will help in ensuring accountability in the industry.
- XVI. Sensitization of the Teachers:** Teachers play the most important role in the education and wellbeing of the children. Therefore, teachers should be oriented on all important issues of the children and the relevant Acts especially the Child Labour (Prohibition & Regulation Act, 2016 & Rules 2017, Juvenile Justice (Care & protection of Children) Act, 2015, Right to Education Act, 2009 & Prevention of Children from Sexual Offences (POCSO) Act, 2012.

- XVII. Convergence of NGOs:** It was observed that there is a duplication of work by NGOs as more than one NGO is working on the same issues in certain areas/villages. There is a need to address the issues of duplication of effort for better management of resources available to NGOs. State Commission for Protection of Child Rights (SCPCRs) may like to supervise and guide the NGOs where the services are much needed and discourage the duplicity of effort and resources. Further, the NGOs should report their area of work to the District administration so that a clear picture can be drawn at the district level on presence of the NGOs in the district. This will also help district administration to involve NGOs as per need especially in the areas of education, health, nutrition, skill development etc.
- XVIII. Special Training Centre (STC), under Sarva Shiksha Abhiyan (SSA):** The scheme of Special Training Centre (STC) as provided under the framework of Sarva Shiksha Abhiyan may be established in the areas. It may be mentioned that the children in the areas need such programme given their status of not attending the school. This will act as bridge in connecting these children with the formal school or open schooling.
- XIX. Skill Development Centres:** The Skill Development Centres may be established in the mica mining areas. The skilling programme under the Centres should be as per the National Skills Qualifications Framework (NSQF) which is a competency-based framework that organizes all qualifications according to a series of levels of knowledge, skills and aptitude. If needed, the National Skills Qualifications Committee (NSQC) may prescribe requisite guidelines or direction suitable to the children in the age group of 15 to 18 years who are a disadvantaged category for them to acquire skill as per Skill Framework.
- XX. District Mineral Foundation:** As per provision provided under the Mines and Mineral (Development & Regulation) Amendment Act, 2015; District Mineral Foundation (DMF) is being established in the district affected by mining related operations. The foundation receives 10 per cent royalty from the mines and the fund is being spent on social infrastructure and facilities in the mining areas. Therefore, possibilities may be explored to take benefit of the fund for the development of the region and social infrastructure for the children.

INTRODUCTION & BACKGROUND

National Commission for Protection of Child Rights (NCPCR) has been constituted by the Government of India, as a statutory body under Section 3 of the Commissions for Protection of Child Rights (CPCR) Act, 2005 (No. 4 of 2006) for dealing with the protection of child rights and related matters. Under Section 13(1) of the Commissions for Protection of Child Rights (CPCR) Act, 2005, provided certain functions to ensure that the rights of children are protected especially the most vulnerable and marginalized. In addition, the Commission has also been mandated to monitor the implementation of the Right of Children to Free & Compulsory Education (RTE) Act, 2009.

BACKGROUND & RATIONALE OF THE INITIATIVE

The Indian Constitution accords rights to children as citizens of the country, and in keeping with their special status the State has even enacted special laws. The Constitution, promulgated in 1950, encompasses most rights included in the UN Convention on the Rights of the Child as Fundamental Rights and Directive Principles of State Policy. The Constitutional guarantees meant for children include:

- Right to free and compulsory elementary education for all children of 6-14 age group (Article 21 A)
- Right to be protected from any hazardous employment till the age of 14 years (Article 24)
- Right to be protected from being abused and forced by economic necessity to enter occupations unsuited to their age or strength (Article 39,[e])
- Right to equal opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and guaranteed protection of childhood and youth against exploitation and against moral and material abandonment (Article 39 [f])
- Right to early childhood care and education to all children until they complete the age of six years (Article 45)

However a large section of children are in difficult and marginalized situation wherein they are unable to develop themselves due to lack of opportunities, family situation and geographical conditions. A section of children in mica mining areas are deprived of opportunities and reportedly working as child labour to add on family income. These children face several developmental issues and it seems that their rights are violated.

DATA PERTAINING TO CHILDREN IN MICA MINING AREAS: A DEBATE

National Commission for Protection of Child Rights took cognizance of the report “Global Mica Mining and the Impact on Children’s Rights” published by Terre Des Hommes, an International development agency working in India in the month of May 2018. It was observed that the agency has conducted a survey in the mica mining areas in India. The survey reveals that more than 22000 (twenty two thousand) children are in child labour in the mica mining areas of Jharkhand & Bihar. NCPCR had already been aware of the situation in Mica mining areas of Jharkhand and information regarding 22000 children being in child labour was revealing for the Commission. It was also observed that the information on all the children is crucial for the Commission to take further action. Therefore, the Commission took cognizance of the matter and started an independent survey with relevant inputs from said agency. The earlier claimed data of 22,000 children couldn’t get verified during this process.

It may be mentioned that there is a sound legal system in place to address the issue of child labour in India for which one has to approach the designated authorities and help line. The principal law applicable in the case of children being involved in child labour is the Prohibition and Regulation Act, 1986, the Child Labour Rules, 2017 and the Schedule Notification August, 2017. There are clear directions for the reporting of child labour, rescue of children involved in child labour, rehabilitation measures and preventing child labour. In addition, there are provisions in other legislations that address the issues of child labour, trafficking, crimes against a child during employment and bonded labour etc. These are; Section 370, 370A, 342, 343, 344, 363 a, 374 of the Indian Penal Code (IPC), Section 74-88, 42, 33-34 of the Juvenile Justice Act, 2015, section 16-23 of the Bonded Labour System Abolition (BLSA) Act, 1976.

The Child Labour Act clearly specify for the following; **For Complaint:** Anyone having any information on child labour can contact the following agencies for action – Complaint Corner at PENCIL portal, Any Police Station or Special Juvenile Police Unit (SJPU), District Task Force under DM, State Labour Dept. or Labour Inspector, Child Line 1098, District Nodal Officer.

Provision for Rescue Team: Under the Child Labour Act, there is provision of the Rescue team that includes Police/Special Juvenile Police Unit, District Nodal Officer or Labour Inspector, District Magistrate or Sub-Divisional Magistrate or nominee of the District Magistrate, Child Welfare Committee/ District Child Protection Officer (DCPO)/Member of village child protection committees, Representative of District Legal Services Authority; NGOs, representative of child helpline etc. **Post Rescue Activities:** After the rescue of the children, there is an established process to follow or steps to be taken. This includes registration of FIR, Production of child/children in front of CWC, Counseling of the Victim/s, Legal assistance from District/State Legal Aid Services, legal counseling, recording of the statement of the victims, victim –witness protection, issuing orders etc. **Rehabilitation Measures:** There is provision for the comprehensive rehabilitation measures including; social rehabilitation by arrangement of shelter

home, food etc by putting the child either in Children's home, Fit facility, Fit person, Foster Care; educational rehabilitation by putting the child into National Child Labour Project (NCLP); economic rehabilitation by providing immediate financial assistance of Rs.20,000/- in case of bonded labour, additional Rs.30,000/- .

As per the Act; a child can help in certain family occupation which are non-hazardous without affecting the school education (As per provisions under 2-B, Child Labour Rules, 2017). In addition, it is also provided that "where a child receiving education in a school remains absent consecutively for thirty days without intimation to the Principal or Head Master of the school, then, the Principal or Head Master shall report such absence to the concerned nodal officer referred to in section 17, 2 (B) 2 of the CLPRA Rules, 2017.

Therefore, it was also important for the Commission to ascertain if these provisions are being followed. Therefore, the list of children was required to follow the provisions provided under the law and to mainstream and rehabilitate children into the society. The agency being a foreign one had no idea about the Indian legal system and unfortunately, seemingly not approached or reported to any authority to address the problem rather publicizing the issue in their report.

It may be mentioned that; NCPCR has been mandated to monitor the Right to Education Act, 2009, Prevention of Children from Sexual Offences Act, 2012 and Juvenile Justice (Care & Protection of Children) Act, 2015. The provisions provided under these three Acts are also applicable to the children who are in child labour especially for their rescue, registering FIR, examining if, there are sexual offences, re-engaging with school education and providing them shelter. Therefore, it was all the more important for the Commission to take appropriate measures to address the issue of children being involved in child labour. Accordingly, NCPCR has taken an initiative to conduct a fact finding survey in respect to the education and well being of the children in mica mining areas involving District & Local Administration, stakeholders, authorities and NGOs/Development partners.

METHODOLOGY:

CONVERGENCE MEETING AT DISTRICT LEVEL

To take the initiative of conducting a survey in the mica mining areas of Jharkhand & Bihar, a convergence meeting was organized on 02.05.2018 at Koderma for the districts of Koderma & Giridih and on 03.05.2018 at Nawada for Nawada district to ensure the rights of these children and to facilitate the survey. Both the meetings were chaired by Member, Education, and National Commission for Protection of Child Rights (NCPCR). In this meeting, all the Stakeholder Departments of the District Administrations, Local Authorities, NGOs and Development Partners participated. The objectives of the meetings were:

- To discuss the modalities and seeking collective effort to conduct a stock taking survey in the villages in mica mining areas.
- To organize a convergence meeting with State & District Departments, Local Authorities, NGOs, Development Partners etc. to ensure the rights of children in mica mining affected areas. The officials who attended the Meeting include from the Department of School Education, Women & Child Development (ICDS & ICPS), Department of Labour, Department of Tribal Affairs, Department of Mines, Department of Health, Department of Forest, Department of Panchayati Raj, Department of Drinking Water & Supply, Department of Rural Development, Department of Minority Affairs & Department of Social Welfare/Social Justice. In addition, Development Partners and NGOs also participated in the meetings.

In the meeting, modalities for collection of data/information (habitation-wise) was discussed and finalized. It was informed that IGEP has already developed a tool for conducting any survey to collect information on the situation of children in the mica mining areas. The tool was discussed in the meeting and was decided to administer the tool. Accordingly, the tool for data collection for children of 0 to 6 years and of 6 to 18 years was distributed in the meeting. It was decided that the survey will be conducted by the Teachers and Anganwadi Workers under the supervision of the Block Education Officers (BEO) and Child Development Project Officers (CDPOs). The NGOs would help in organizing training of the Block level officers, Teachers and Anganwadi Workers.

A directive in this regard was sent to the district administrations for further course of action.

- a) **Presence of NGOs:** District Administration is requested to issue suitable order or take appropriate steps to compile information of NGOs working in the mica mining areas. The list of NGOs to include NGOs who were present in the meeting and who were not present but are working in the mica mining area.

b) Role of Officials , Stakeholders & Agencies :

Anganwadi Worker	Will fill up the form A (0- 6 years)
Asha Workers	Will help Anganwadi Worker fill up the tool/questionnaire
ICDS Supervisors	Will help Anganwadi Worker fill up the tool/questionnaire and assist in the matter relating to out of school adolescent girls
Child Development Project Officer	Will supervise the administration of tools by the Anganwadi Workers and provide assistance in the matter relating to out of schools adolescent girls
Teacher	Will collect information regarding children in the age group of 6 to 18 years and Fill up the form- B
Block Resource Coordinators (BRCs)	Will Supervise the administration of tool by the teachers and provide guidance & assistance
Circle Resource Coordinators(CRC)	Will Supervise the administration of tool by the teachers and provide guidance & assistance

Sarpanch/Pradhan/ Panchayat Ward Members	Will provide information to the teacher and Anganwadi Worker and help to fill up the tool /questionnaire
Mines Enforcement Officer	Will ensure the survey covers the entire mining areas identified for survey.
District Labour Officer	Will supervise the administration of tools by the teachers and provide assistance in the matter relating to out of school children and vocational training
District Child Protection Officer DCPO	Will supervise the administration of tools by the teachers and provide assistance in the matter relating to out of school children
NGOs	<p>a) NGOs working in the mica mining areas will support Anganwadi Workers and teachers in their respective areas.</p> <p>b) Cluster/Block, district level NGO officials as information submitted by NGOs to the district administration to participate in the training workshop.</p>
BKS, Ranchi	Logistic arrangement including workshops
IGEP, Gurugram	Provide tool content, compilation of data.

- c) **Training and Survey:** The training workshop at district level to be organized in the first week of June 2018 and the actual survey would be conducted thereafter. In the training workshop CDPOs, DCPO/DSWO, District Labour Officer, Mines Enforcement Officer, Circle Resource Coordinators(CRC), Block Resource Coordinators (BRCs), ICDS Supervisors and NGO officials in-charge of cluster /block /district in their NGOs would take part.
- d) **Survey :** The survey will be conducted in the mica mining areas covering all the villages , Panchayats and Blocks. In Jharkhand, the survey will be conducted in 109 Panchayat of Koderma District which is the entire district and 33 Panchayats in Giridih district. The survey should be completed by the July, 2018. The survey is to be conducted by the School teachers and Anganwadi Workers. They will talk to the stakeholder while filling up the survey tool. The Teachers and Anganwadi Workers to be given training and orientation at ideally at the Block level.
- e) It may be noted that the primary responsibility of conducting survey is with Anganwadi Workers and Teachers.
- f) **Nodal Officers:** The district of Koderma & Giridih, Jharkhand and Nawada, Bihar are requested to appoint a nodal officer for coordination till the completion of survey. The District Child Protection Office of all the three districts was nominated as the nodal officer for the project.

CONVERGENCE MEETING AT STATE LEVEL

A convergence meeting at the State level was organized at the Secretariat, the Government of Jharkhand, and Ranchi with State level officers from the Department of Mines & Geology, Department of Labour & Employment, Department of Education, and Department of Women & Child Development on 24th July, 2018. In the meeting, it was informed that the Commission is conducting a fact finding survey in respect to the education and well being of the children in mica mining areas in the districts of Giridih & Koderma. It was also informed that a convergence meeting was already organized with the District Administrations of Koderma & Giridih and the stakeholders. In the discussions with State officials following matters were discussed and shared:

The Commission is well aware of the issues of children near the mica mining areas of Jharkhand. Commission is conducting a fact finding survey in respect to the education and well being of the children in mica mining areas, a convergence meeting was already organized with the District Administrations of Koderma & Giridih and the stakeholders. Currently, the survey is underway in the district of Koderma & Giridih.

There is a need to clear the supply chain management for the industry to function properly especially free of children being involved in the industry. It is hoped that the well managed Mica Industry would create a boom the local economy in the state. The economic benefits of the industry would help in the economy of the local communities, families and youths. This would also help in education and other services of the local areas and contribute to human development.

The State officers were informed that Convergence Meeting with District Administrations (Koderma & Giridih) , Officials, NGOs and Civil Society Organizations was organized. The meeting was attended by the State Commission for Protection of Child Rights, Collector, SP, Mica Exporters, Child line, Child labour, Education and other Departments of both the districts of Koderma & Giridih. In the meeting, decision was taken to conduct the survey in all the mica mining Panchayats of both the districts (110- Koderma & 31 Giridih). In the meeting, Survey Tool was also distributed in the meeting with Hindi translation & supplied for all the Panchayats (Schools & AWCs).

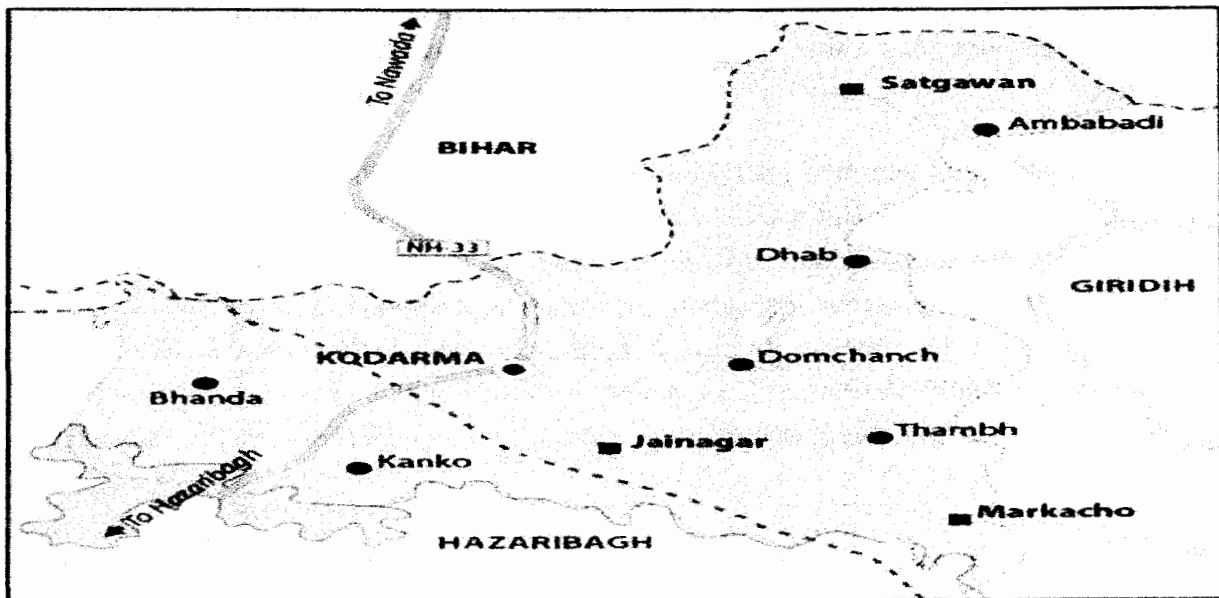
Trainings have been organized for the teachers, Anganwadi workers, supervisors, officials and NGOs. The Survey has two set of Questionnaires (School & Anganwadi).The Department of Labour, Mines, Education & Women & Child Development are to work in Convergence in the issue of children in mica mining areas. Report would be compiled with the help and coordination of State Commission. Based on the survey findings and NGOs present in the areas- habitations will be allocated to them (NGOs) under the overall supervision of district administration.

Children who are out of school would be identified and a data base will be created for the district. The NGOs working in the habitation/area would be given responsibility for handholding. Re-engagement would be a collaborative effort of School, Anganwadi, NGOs, Gram Panchayat/Pradhan and officials. District Administration would supervise the overall activities. Out of school children will be re-engaged in school education, quality education and trainings/skill building of youth and raise the income level of the families. Officers from the Department of Mines & Geology, Education, and Labour & Employment assured that support will be extended in the survey activities and mainstreaming of children.

DISTRICT PROFILE

KODERMA, JHARKHAND

The Koderma district is situated 165 Km far away from Ranchi the capital of Jharkhand. Spread over 1655.61 square kilometers, the main river of the district is Barakar, Barsoi and Sakri, while the main city is Jhumri Tilaiya. Koderma district has one Sub-division, Koderma itself and 6 (Six) revenue circles. For developmental administration the district is divided into 6 (Six) developmental blocks namely: Koderma, Jainagar, Chandwara, Markachho, Satgawan and Domchanch. There are 717 (Seven Hundred Seventeen) Villages and 109 (One Hundred Nine) Panchayats. This district is famous by the name of the Mica city.



This district is bound on the north by the Nawada district of Bihar, on the south by Hazaribagh district of Jharkhand, on the east by Giridih district of Jharkhand and on the west by the Gaya district of Bihar.

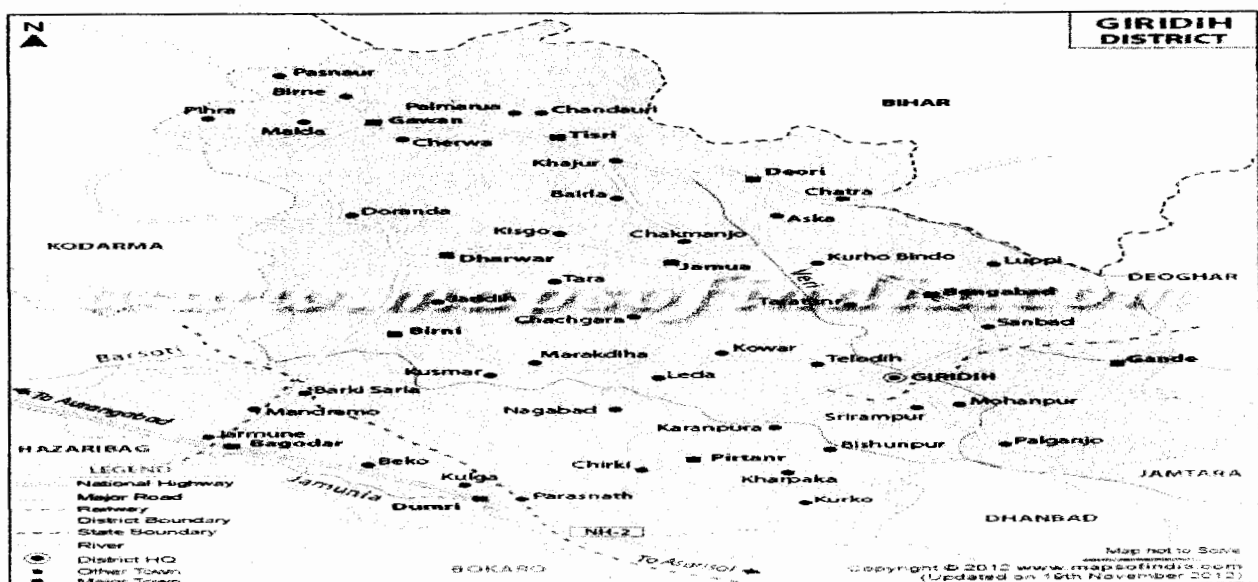
Koderma district lies in the Chhotanagpur Plateau at 397 m (1,302 ft) above the sea level. The area exhibits undulating topography comprising hills, hillocks, plains and mounds. Northern

part of the district is occupied by Koderma Reserve Forest. The highest peak is Debour Ghati (677 m) which is the boundary of Jharkhand and Bihar states. The section line from south to north from Jharkhand to Bihar passes through Hazaribag plateau. The rocks at the edge of this plateau have been cut deeply by innumerable streams. There are a number of rills and gullies of various types such as figure or shoe-lace gullies. Barakar River flows from west to east in the southern part of the district and supports Tilaiya Hydel project, a multipurpose dam constructed on it. Poanchkhara, Keso, Akto, Gurio, GukhanaNadi are the main tributaries of the Barakar river. Sakri River is the main river in the northern part of the district which flows from south east to northwest. Ghggna Naddi, Chhotanari Nadi are the tributaries of Sakri river. Mahua, Banyan, Sakhua, Palash, Peepal, Neem, Khajoor, Bamboo are the flora of the area. Fauna such as leopard, bear, pig, deer and hare are found in the forest area of Koderma Reserve forest. Koderma is surrounded by forests and many natural resources.

At one time, Koderma was considered as the mica capital of India. During that time, the townships of Koderma and Jhumri Tilaiya had seen the rise of several mica tycoons. Now, it is a fast developing city in Jharkhand state. Koderma holds the world record in terms of holding largest deposits of Mica in the world.

GIRIDIH, JHARKHAND

Giridih District, an administrative district of Jharkhand has its headquarters at Giridih. It was carved out from Hazaribagh District on 4th Dec 1972. The district lies between 24 degree 11minutes north latitude and 86 degree 18 minutes east longitude. Lying almost in the central part of the North Chota Nagpur Division, this district is bounded by Jamui District and part of Nawada district of Bihar in the north, by the districts of Deoghar and Jamtara on the east, by Dhanbad Bokaro on the south west by Hazaribagh Koderma. Giridih District is spread over an area of 4853.56 sq km. The entire region is covered by dense forest vegetation and hill locks.



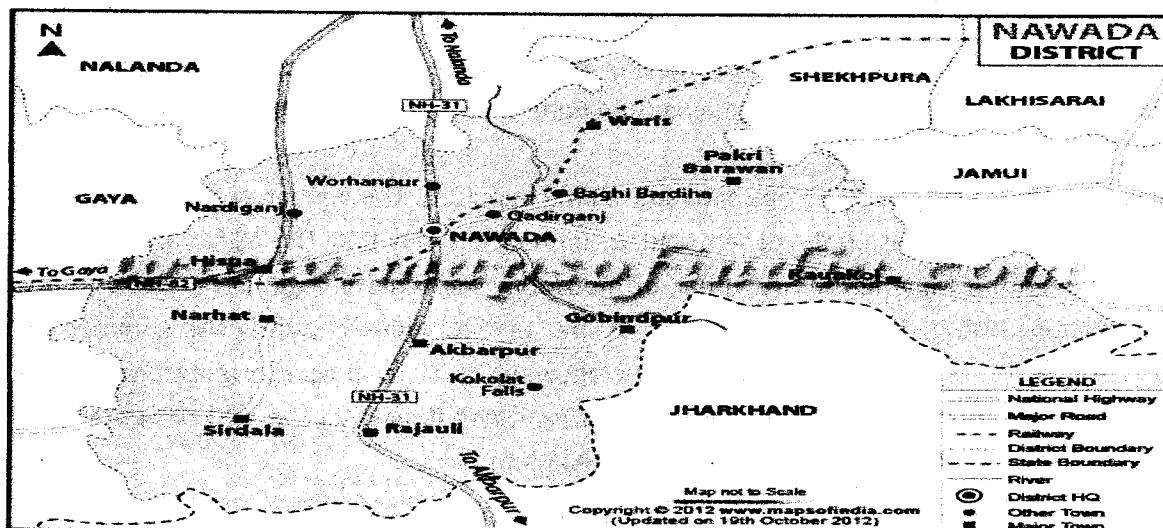
Giridih is headquarters of the Giridih district of Jharkhand state, India. The literal meaning of Giridih is the land of hills and hillocks – Giri, a Hindi word, means hills and Dih, another word of the local dialect, indicates land of. Before 1972, Giridih was part of Hazaribagh district. Giridih is a centre of the prestigious Indian Statistical Institute (ISI). Giridih is also one of the six Data Processing Centres of Data Processing Division (DPD) of National Sample Survey Office (NSSO). Giridih district was a part of Kharagdiha estate till the late 18th century. During the British Raj Giridih became a part of Jungle Terry. After Kol Uprising in 1831, the parganas of Ramgarh, Kharagdiha, Kendi and Kunda became parts of the South-West Frontier Agency and were formed into a division named Hazaribagh as the administrative headquarters. Giridih district was created on 6 December 1972 by carving some parts of Hazaribagh district. In 1999 part of it became Bokaro district. Land of Giridih is rich in coal, and once Giridih was boomed by mica industry which exported mainly to Japan. There are many small and big mines of coal found in Giridih.

Giridih is located at 24.18°N 86.3°E. It has an average elevation of 289 metres (948 ft). Sri Sammeta Shikharji also known as the Parasnath Hills, located in Giridih is the highest mountain peak in Jharkhand. It is a conical granite peak located 4,477 feet (1,365 metres) above the sea level. The District is geographically divided into two natural divisions, which are the central plateau and lower plateau. The central plateau touches the western portion of the district near Bagodar block. The lower plateaus have an undulating surface and an average height of 1300 feet. In the north and north-west, the lower plateaus form fairly level tablelands until they reach the Ghats when they drop to about 700 feet. The district has uniformly distributed and vast forests. Sal tree is the most famous and predominant trees here. Among other common trees are bamboo, Semal, Mahua, Palash, Kusum, Kend, Asian pear and Bhelwa.

Giridih district is divided into two main water heads – Barakar and Usri rivers. Giridih is rich in mineral resources and has several large coal fields with one of the best qualities of metallurgical coal in India. Mica is found in abundance near the blocks Tisri and Gawan. Mica is of importance not only to Jharkhand but to India and other countries as well.

NAWADA, BIHAR

Nawada district is situated on the southern part in Bihar and is one of the thirty-eight district of Bihar State. Nawada town is the administrative headquarters of this district. It occupies an area of 2,494 square kilometers (963 sq mi) and is located at 24.88N 85.53E. In 1845, it was established as a Subdivision of the Gaya district. On 26th January 1973, Nawada was formed as a separate district. The origin of the name Nawada is believed to lay in a corruption of the old name Nau-abad or the new town which was earlier known as 'The Eliot Market (Bazaar)'. It is divided into two parts by Khuri River, the Portion on the left bank being the older, while that on right bank is modern and Contains public offices, sub-jail, dispensary and school. Famous "SarvodayAshram" inaugurated by Desh Ratna Dr. Rajendra Prasad and nourished by Shree Jai Prakash Narayan has enhanced the glory of Nawada.



Nawada town is situated in the Magadh division on South Bihar. It is bounded in the North by the Nalanda District, in the East by Sheikhpura & Jamui District, in the west by Gaya district and Koderma & Giridih districts of the state of Jharkhand lie on the southern border of the district.

Nawada has been a place of historical imminence, King Brihadratha founded the Magadh Empire in the region and the area was dominated by many dynasties like Brihadratha, Maurya, Kanah and the Gupta that ruled over many states of middle and north India. The Surya Narayana Mandir of Handiya is earliest & it is supposed to be of Dwaparayuga. The Surya Narayana Mandir of Handiya is constructed by the King of Magadha Jarasandha, Jarasandha's daughter Dhaniya was suffering from leprosy and used to stay this holy place every day for devotion. The Myth goes; she used to bathe in the nearby pond and was cured. Soon after Dhaniya established a place of worship of Maa Bhagwati in a close to village and a Shivalinga at Dhaniya hill, which is just away from main temple. Handiya is most remarkable place to visit for any one. It is beautifully surrounded on the north side by Rajgir mountain and on the south by river.

The place Sitamarhi situated in the lap of Nawada was blessed when Sitaji made it her above in her exile and gave birth to Lava. The village Barat was the abode of great epic maker Balmiki. In the southern side of Rajauli sub-division of Nawada, Sapt-rishi had made the place their abode. Great Lord Buddha and Lord Mahavira who are regarded, as the first lights of Asia loved this place very much. The king Bimbisar was one of the most beloved disciples. Truly every inch of this place is the witness that Lord Buddha and Lord Mahavir gave first priority to offer their mission to this place. The historical sermon of Lord Buddha was reveled for the first time here. The village Dariyapur Parvati in the Nawada District situated six miles north of Warisaliganj. There are ruins and relic of Kapotika Bodh Bihar. In the centre stands a famous temple of Avalokiteshwer.

The area of the district falls in the Zone-III B, South West Alluvial Plain agro climatic zone of Bihar. The district of Nawada does not have any important perennial river. The topography of the district is plain and border area adjoining Jharkhand is rocky terrain & mountains.

The climate of the district is sub-tropical to sub-humid in nature. The district experiences severe cold during winter whereas on the other hand in summer it is very hot. The nights are generally hot from the end of May till the first break of monsoon. The climate is generally hot and dry, the winter temperature ranges from 16°C to as low as 4 °C whereas during the summer the mercury shoots to 46 °C. During rainy season it becomes cooler and temperature drops to 35 °C. Monsoon sets sometimes in the third week of June and it lasts till the end of September. The average annual rainfall in Nawada district is 996.5 mm.

The main rivers are the Sakri, Khuri, Panchane, and Bhusri by Kakolat, Tilaiya, and Dhanarjay. The beds of these rivers are shallow, wide and sandy. They are ephemeral in nature and are virtually in spate during the rainy season.

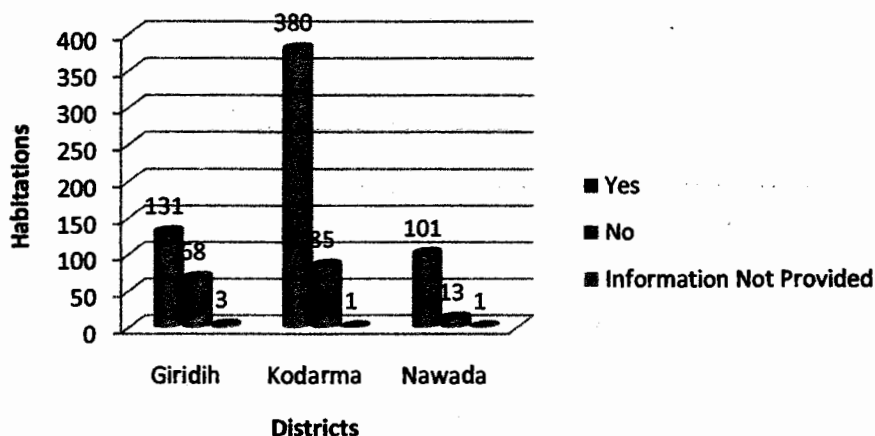


Anganwadi's under Integrated Child Development Services Scheme (ICDS): Children in the age group of 0-6 years constitute around 158 million of the population of India (2011 census). These Children are the future human resource of the country that need proper nurturing and care. Ministry of Women and Child Development through State Governments is implementing the scheme. Integrated Child Development Services (ICDS) Scheme. ICDS is one of the flagship programs of the Government of India and represents one of the world's largest and unique programs for early childhood care and development. It is the foremost symbol of country's commitment to its children and nursing mothers, as a response to the challenge of providing pre-school non-formal education on one hand and breaking the vicious cycle of malnutrition, morbidity, reduced learning capacity and mortality on the other. The beneficiaries under the Scheme are children in the age group of 0-6 years, pregnant women and lactating mothers. These services are provided at a habitation/village level centre called Anganwadi managed by an Anganwadi Worker & Helper.

Anganwadi at the habitation

Starting with the presence of Anganwadi at the habitation level, all the three districts presented a different picture. In Giridih district, almost 65% habitation has access to an Anganwadi. However, more than one third of the habitation (around 33.6%) did not access to an Anganwadi. A negligible percentage i.e. 1.4% could not respond to this query from this district.

Is there any Aanganwadi centre at the habitation taking care of the children

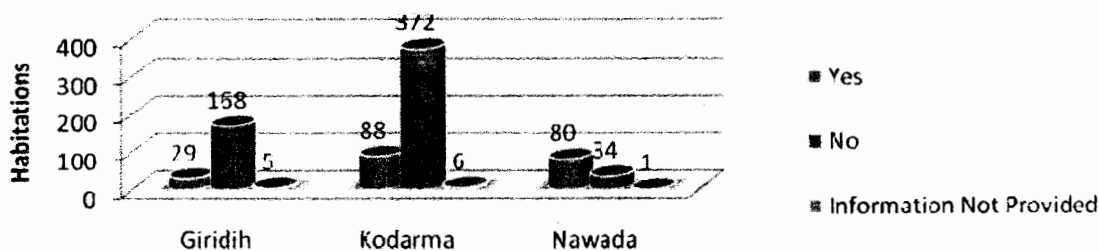


The access to an Anganwadi by habitations in Koderma and Nawada districts, however, was extremely different from that of Giridih. In both the districts, more than 80% habitations have access to an Anganwadi at the habitation. In

Koderma, 81.5% habitations have access to an Anganwadi. In Nawada, 87.8% habitations have access to an Anganwadi. Only 18% habitations in Koderma and around 11% habitations in Nawada did not have an Anganwadi centre within the habitation. The graph, given here, highlights the same. This needs further investigation.

Cases of under-nutrition in the village

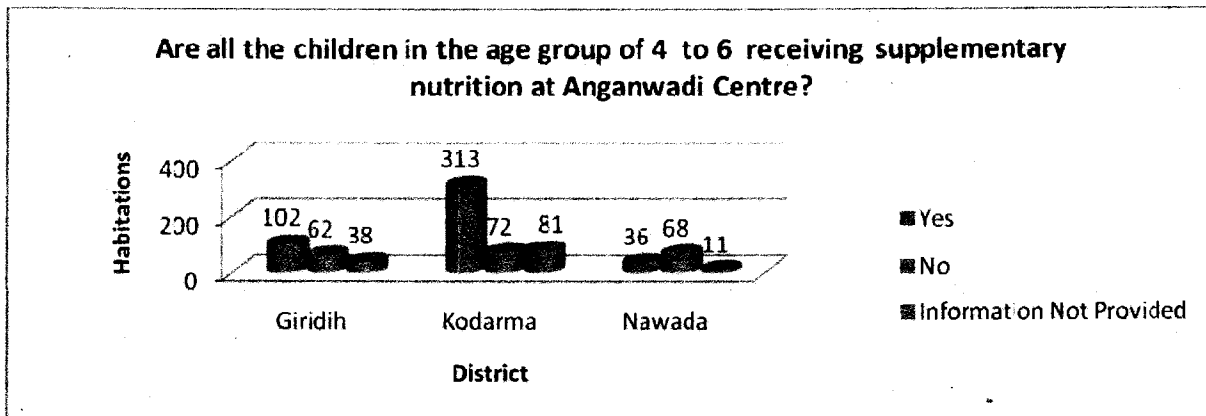
Are there any cases of malnutrition among 0 to 6 years children in the village during last 6 months?



Cases of Under-nutrition reported at Anganwadi: The survey also captured information related to the cases of under-nutrition. In case of Giridih and Koderma, the under-nutrition cases reported in 14% and 19% of the habitations/ villages respectively in the survey area. In case of Nawada, 69 % habitations/villages have reported that some children are under-nourished. The Poshan Abhiyan with Anganwadi and Health Workers are actively working on to address the problem of nutrition. The issue further calls for effective collaboration of all the stakeholder Departments, Development Partners and NGOs at the local/habitation level interventions with the families and communities.

Supplementary nutrition for children at the Anganwadi centres

It was surprising to note that supplementary nutrition was being provided only in 50% centers in case of Giridih and around 61% in case of Koderma. It was not being provided in 30% cases from Giridih and 15% cases from Koderma. Nawada presented a dismal picture with only 31% cases replying in affirmative and a whopping number of 51% saying no to this query. Another surprising element here was that almost 10% to 18% of the respondents could not answer from all the districts.



The data regarding children receiving pre-primary education at the Anganwadi centres reflected poorly in case of Nawada. Here, in only 25% of the habitations, children were receiving pre-primary education. Almost 74% children were denied pre-primary education in Anganwadi in Nawada. Whereas, in the case of Giridih and Koderma districts this figure stood at 61% and 74% respectively. The percentage of habitations/villages children were not being provided Pre-primary education at the Anganwadi centers stood at 35% and 22% respectively in case of Giridih and Koderma. No data was available in case of 1-3% of the total survey sample.

OUT OF SCHOOL ADOLESCENT GIRLS

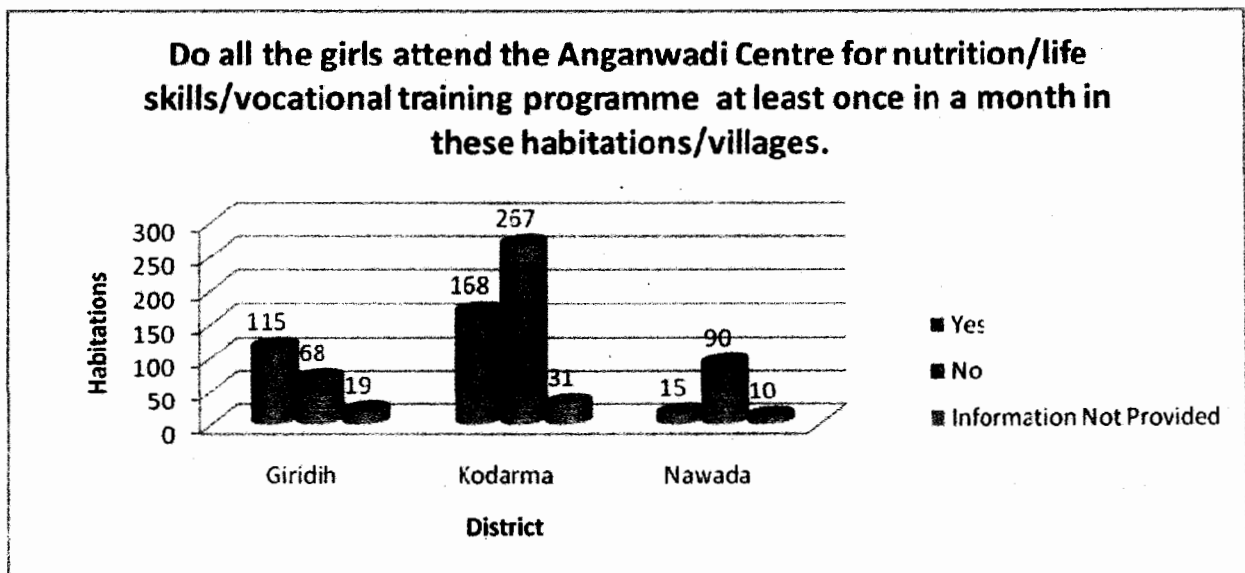
The survey also looked into another important segment of Anganwadi beneficiaries that is adolescent girls. The following data represents a picture in case of 15-18 years of age group of girls who can avail various benefits available to them under the Anganwadi scheme.

It is imperative to know the number of out of school girls who could have taken advantage of Anganwadi facilities. This number of dropout adolescent girls was 1450 for Giridih; and for Koderma and Nawada it stood at 3538 and 212 respectively.

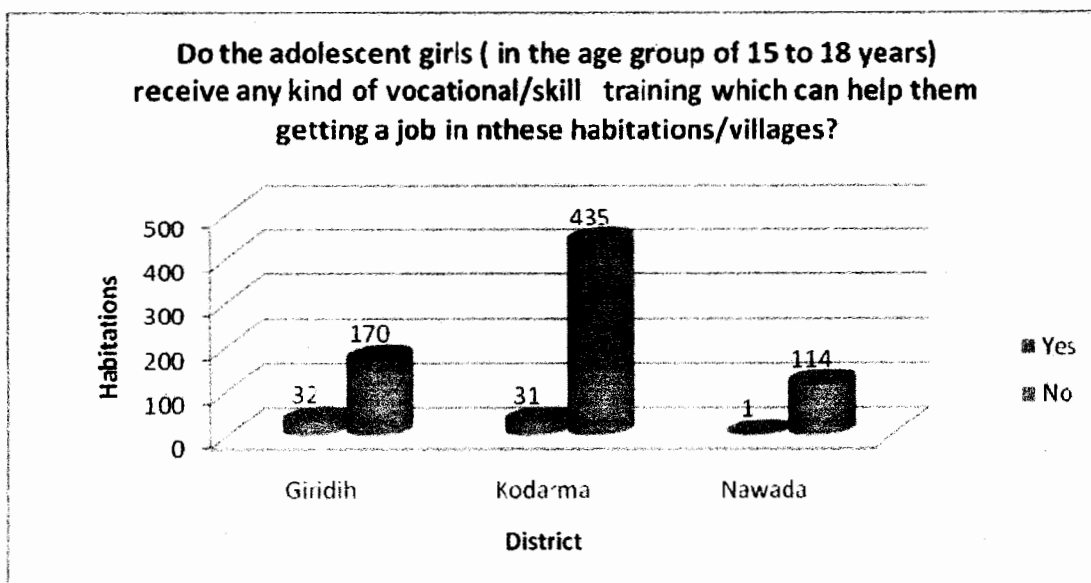
Girls attending Anganwadi centers for nutrition/life skills/vocational training programs

- a) It was discouraging to note that the dropout girls from Nawada district did poorly when it came to availing nutrition or life skills or vocational training facilities in Anganwadi. A very low percentage of adolescent girls in 13% habitations/villages were availing the benefits

of Anganwadi centres in Nawada district. A whopping majority of girls in 78% villages were deprived of these facilities. In case of almost 9%, there was no information available. The situation in Koderma was no better where girls were attending Anganwadi only in 36% habitations; 57% were not attending and in case of around 7 % no information was available. The situation was slightly better in Giridih where girls were attending Anganwadi at least once a month to avail the facilities of nutrition/life skills/vocation training in around 57% habitations. In 34% they were still left out and in case of around 9% no information was available in this regard.



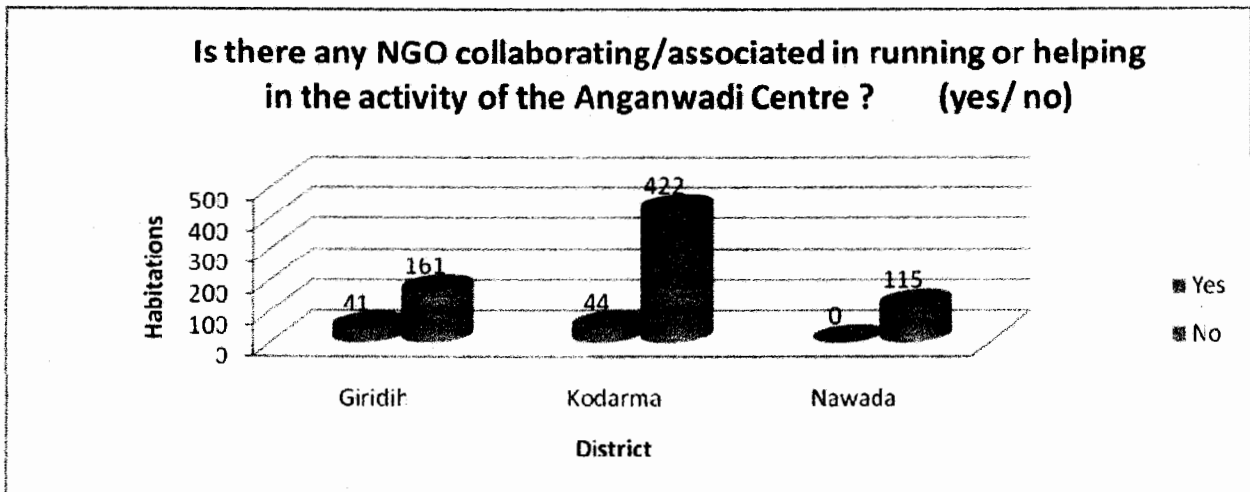
Adolescent girls receiving vocational and skills training aimed at getting employment



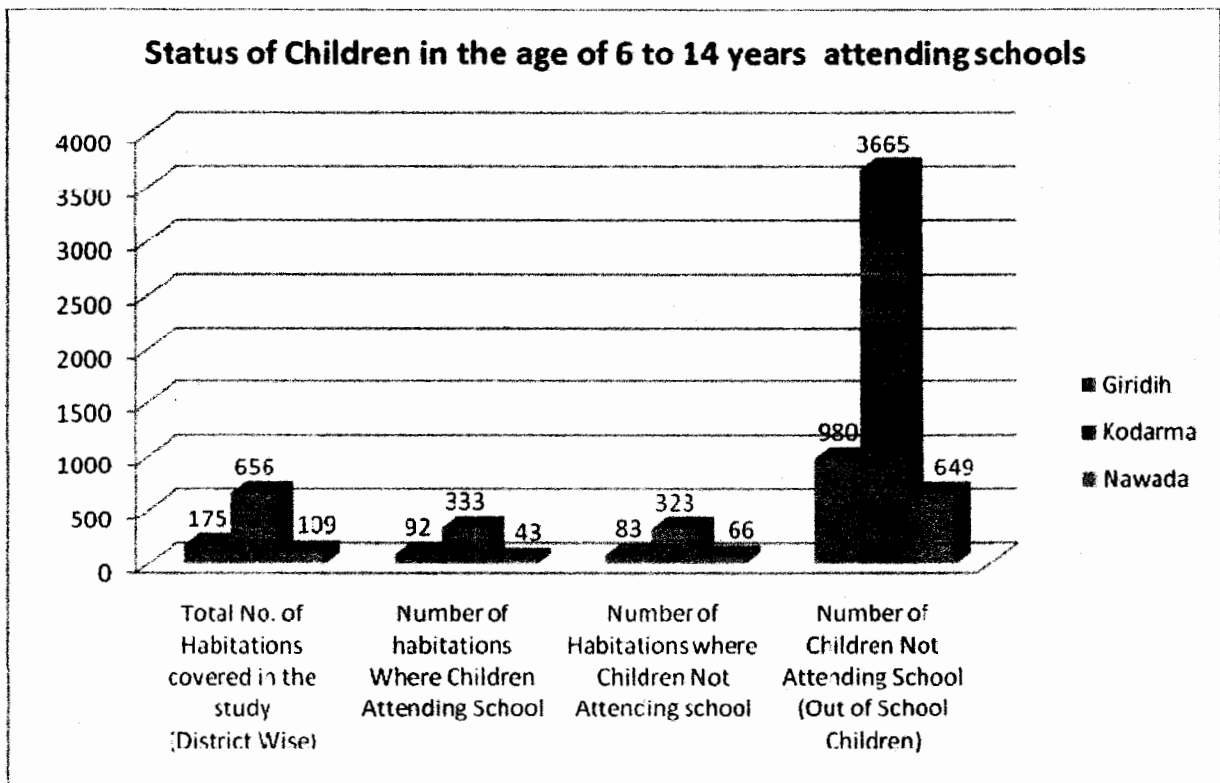
The above-mentioned graph presents a very grim picture when it comes to adolescent girls receiving vocational and skills training aimed at getting employment. The situation was worst in Nawada where 99% girls did not have any facilities for this kind of training. Koderma and Giridih do not fare any better. The percentage of girls not receiving any vocational and skill training was 93% and 84% for Koderma and Giridih respectively. Only 15% in Giridih and around 7% girls in Koderma receive any kind of vocational and skill trainings.

NGOs collaborating/associating to extend support in running of an Anganwadi Centres

In Nawada, as per the data collected, no NGO was there working in collaboration with Anganwadi. In Koderma in around 90% and in Giridih, in around 80% cases, the situation was same i.e. no NGO was working in collaboration with Anganwadi. However, at least in 20% cases in Giridih and in eight percent cases in Koderma, an NGO was collaborating or associating to extend support in running of an Anganwadi centre.



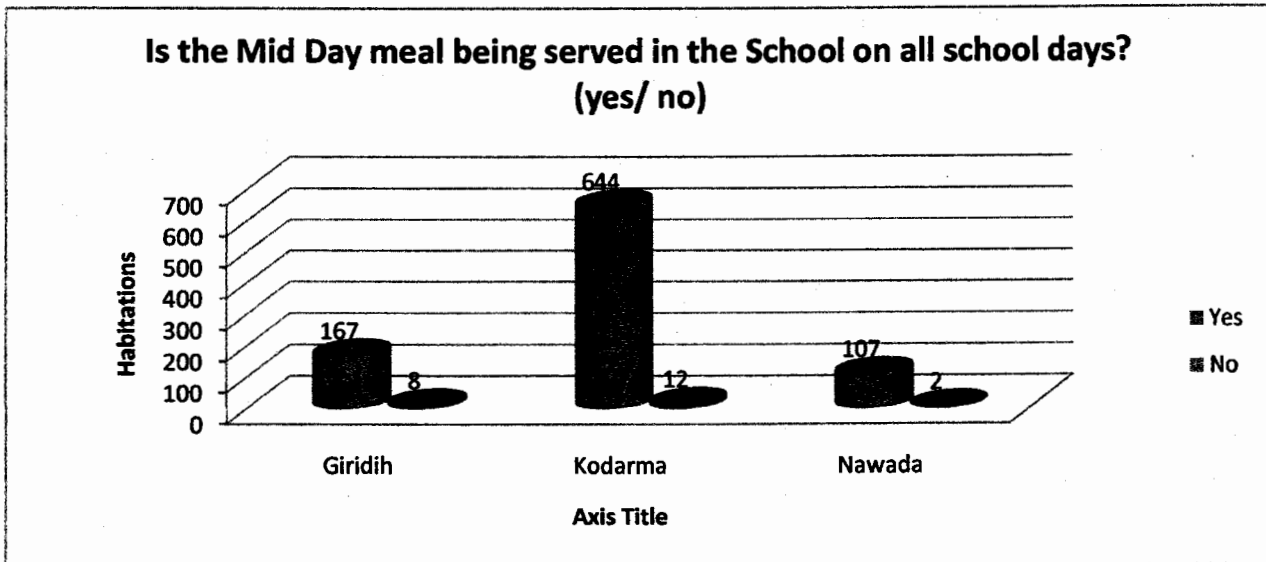
Children in the age of 6 to 14 years not attending school: There are a large number of children not attending school in the areas where survey was conducted. However, these children mostly are enrolled in the school as per DISE data. As per survey, there are 4545 children in the age group of 6 to 14 years in survey area of Jharkhand reported as not attending school. Similarly, 649 children reported as not attending school in the survey area of Nawada district. It was also observed that initiatives are underway to ensure these children come to the school regularly. However, it requires close monitoring to ensure the attendance of children in the school and their learning.



Reasons for not attending the school: There are various reasons cited by the respondents about the reasons for not attending school including to work at home, help in household chores, paid labour, apprentices, lack of aspiration and lack of interest.

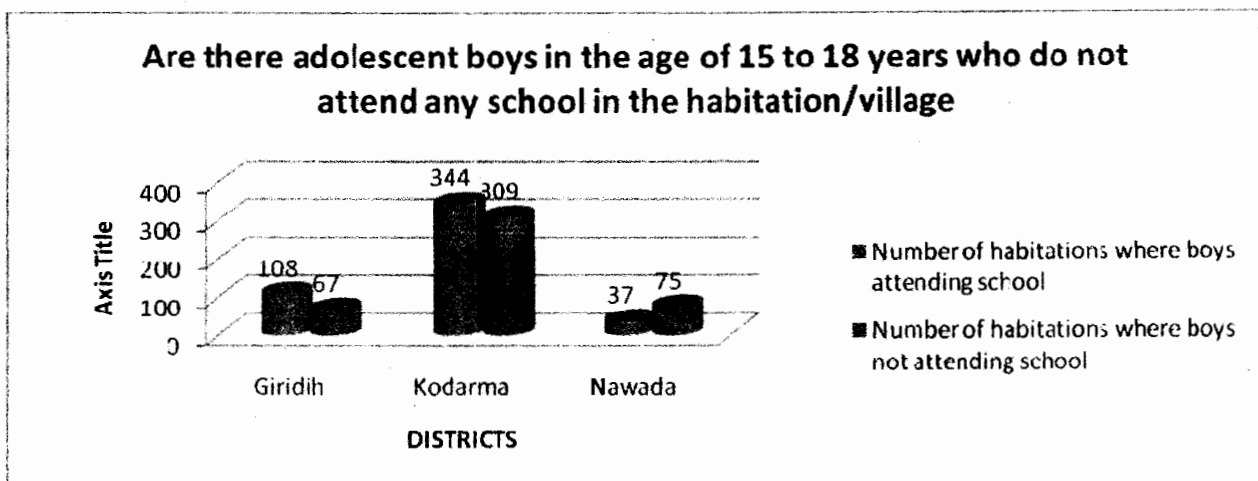
Mid-Day Meal

Availability of Mid-day meal: This aspect of school education was very encouraging. The survey shows that in almost 98% schools, proper mid-day meal is provided in case of Nawada



and Koderma. In case of Giridih, mid-day meal is provided properly in 95% schools. In remaining about 2 % schools in Nawada & Koderma , 5 % in Giridih; efforts are evident for improvement.

Adolescent boys in the age group of 15-18 years who are not attending school

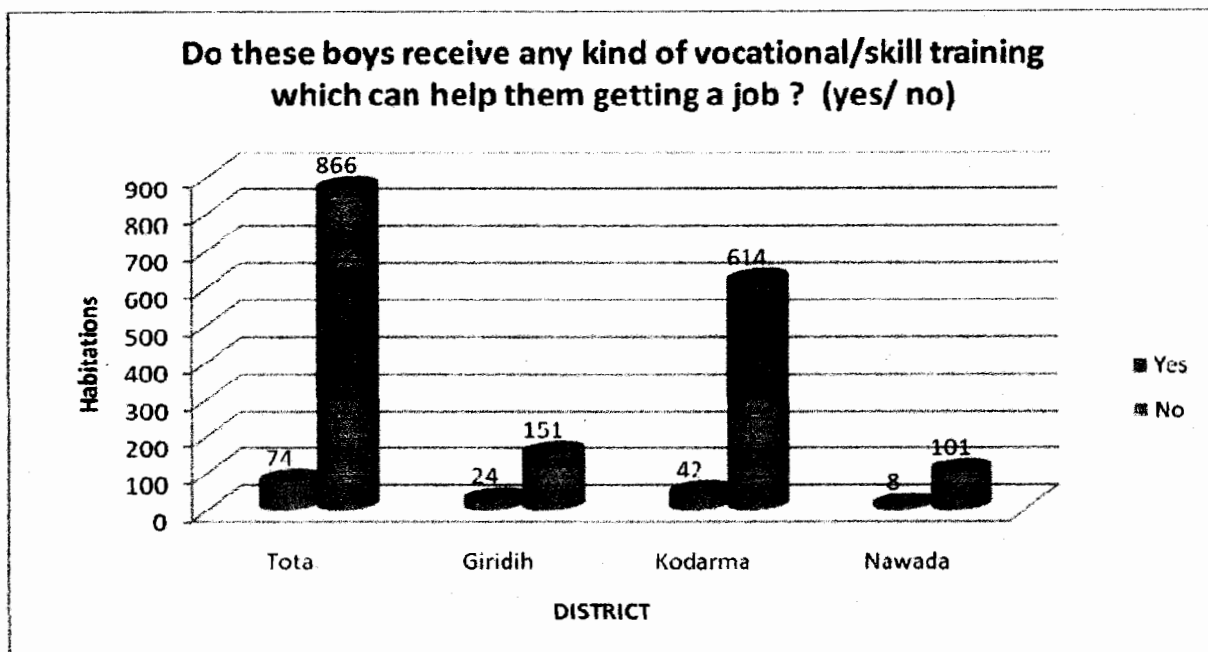


The combined picture of three districts shows that around 52% boys from these districts do attend school. However, another major chunk i.e. 42% is left out as they do not attend school. While looking at individual districts, in Giridih, 62% boys attend school but 38% still do not attend school. In case of Koderma, 53% go to school whereas 47% do not attend school. As far as

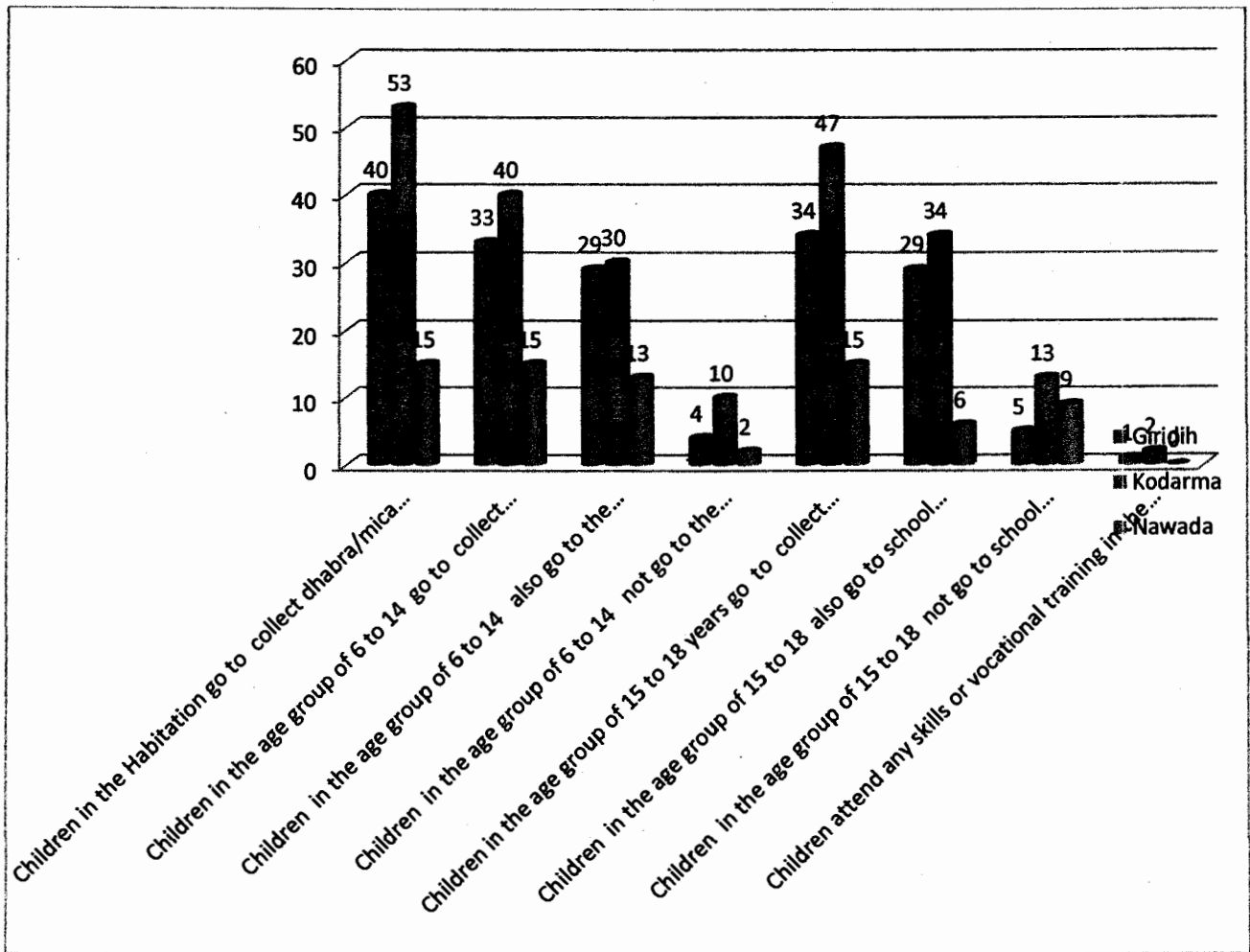
Nawada is concerned only 33% in this age group go to school whereas a majority of 67% does not attend school.

Job oriented vocational trainings

Look at the combined data from three districts, around 92% boys do not receive any kind of vocational training that may help them in future in the job market. At the individual district level, the situation is similar. The respondents replied in negative in 93% and 92% in case of Koderma and Nawada respectively. In case of Giridih, this stands at 86 %.



Habitations where children go for collecting Dhabra/ Mica Scraps (6-14 Years and 15-18 Years)



(Note- Children in the habitation go to mines for collecting mica scraps for Koderma is 45 and in 8 habitations need confirmation of the fact)

NGOs working in the habitations & Some Notable Work

S.N	NAME OF THE NGO	JHARKHAND		BIHAR	TOTAL
		KODERMA	GIRIDIH	NAWADA	
1	BBA (Bachapan Bachao Andolan)	144	76	77	297
2	BKS (Bhartiya Kisan Sangh)	32	08	02	42
3	Balmitra Pandariya	00	01	00	01
4	Bal Bikas Dhara	00	00	03	03
5	Child Fund India	00	01	00	01
6	Dalit Vikas Bindu		03	00	03
7	Damodar Mahila	01	00	00	01

	Mandal				
8	Five Brothers	02	00	00	02
9	Gyan Vikas Samiti	02	00	00	02
10	Holy family	02	00	00	02
11	IGEP	07	32	02	41
12	MKS	01	00	00	01
13	Nabard	01	00	00	01
14	UP Jiban Sansthan	01	00	00	01
15	World Vision	01	00	00	01
16	Saksharta Samiti	01	00	00	01
17	Jago Foundation	00	10	00	10
18	Jharkhand Mahila Utthan Kendra	02	00	00	02
19	Pradhan Mahila Mandal	02	00	00	02
20	Karma Sakhi Samuah	01	00	00	01
21	Nav Bharat Jagriti Kendra	13	00	00	13
22	Rashtriya Jharkhand Seva Sansthan	26	00	00	26
23	Savera Foundation	00	12	00	12
24	Samarpan	11	00	00	11

Note: listing is compiled as per survey data and information received from NGOs

Many NGOs may have been working in the three districts but their presence in the mining area is limited in terms of numbers. It was observed that 24 NGOs are working in the mica mining areas where the survey was conducted. Presence of NGOs is maximum in Koderma as there are 18 NGOs reportedly working in the district, there are 7 NGOs present in Giridih and only 4 NGOs are reportedly working in Nawada (Rajauli Block).

Some of the Notable Work by NGOs in the Area:

Providing quality education through running schools and promoting health services through centre as well as health camps, IGEP's concept is found notable. Similarly, concept of converting villages to become child friendly through empowering children by ensuring their right to participation- Bal Mitra Gram (BMG) or Child Friendly villages is an initiative of Kailash Satyarthi Children's Foundation (KSCF) which works to remove children out of the mines and put them into school as well as help increasing access to village infrastructure, access to education, anganwadi centres, Mid-day meals etc. In addition, reengagement of out of school children in the school and distributing Teaching Learning Material by Bhartiya Kisan Sangh is also found notable.

KEY RECOMMENDATIONS

- I. **Principle of Accountability:** The Commission believes that the concept of principle of accountability in the mica mining areas wherein responsibility of the business houses to take responsibility of the supply chain free of unethical practices and adherence of the local laws. However, it was observed that the principle is neglected by the stakeholders including industries using mica from this region.
- II. The practice of certification of International Standards in mica mining areas was not covering the entire region. At the same time it was also observed that some industries try to share responsibility to clean the supply chain, however, the approach is not serving the purpose due to lack of convergence with relevant stakeholders, monitoring authorities as determined in the laws of the land.
- III. **Implementation of the provisions of Child Labour Act:** There are gaps in the implementation of The Child & Adolescent (Prohibition and Regulation) Act, 1986, its Amendment Act 2016 and Rules 2017 especially the provisions under Rule 2(b) (2).
- IV. **State Initiative on Mica Mining:** In view of the fact that Mica is now a minor mineral a promise that is now fulfilled by the Central Govt. comes under the control of State Government; the mica mining may be formalized like other minor minerals. Though, the State initiative of formalizing the tender process for dumping area is much appreciated, however, needs more attractive provisions for the industries, State and regions. Some key suggestions that can create a sustainable business environment include;
 - (1) increasing the tenure of lifting period,
 - (2) the value of performance guarantee should be appropriate
 - (3) The value of installment should be evenly distributed throughout the period
 - (4) Start-ups may be given relaxation as per the policy of Govt. of India which can offer a platform for the youth and young entrepreneur of the region.This may help attract more people coming to the business that in turn will help generating more formal employment with better wages. Consequently, if families earn better wages children would be sent to school rather than involve in child labour or collecting mica scraps.

The Commission has observed that where organized sector businesses depends on unorganized sector, chances for the issue of child labour and unethical practices become high, whereas, an un-organized sector becomes formalized these issues can be addressed Moreover, the formalized sector brings better wages, regularized employment, more formal economic activities in the which help strengthening the local economy and maintain socio-economic cohesion.

- V. **Action Plan:** There is a need for a comprehensive action plan to address the issues of children in the mica mining areas and ensuring the effective delivery of public services to their families. The action plan should clearly define the roles of all the stakeholders and service providers with platform for convergent action at Habitation/village level, Panchayat level, Block level and District level.
- VI. **Ensure 100% Attendance in School:** The Departments to ensure 100 percent attendance of children in the school especially in the age group of 6 to 14 years as Constitutional rights of the children in this age group. It is suggested to use digital technologies to monitor the attendance at school.
- VII. **Special Drives in the villages/Habitations:** The administration may conduct special drives in the villages/habitations that are reported for children being out of school and children being involved in collecting mica scraps.
- VIII. **Abolitions of the Child Labour in the Area:** A special drive to abolish child labour in the mica mining areas of the State of Jharkhand and Bihar.
- IX. **Supply Chain in Mica Mining to be Free of Child Labour:** The supply chain of the mica mining and industry to be made free of child labour. No child to be engaged in any part of the mica mining process and collecting scraps. NGOs/Development Agencies should work with the Local and District Administration as well as with the industries to chalk out a strategy to make the supply chain of mica mining free of child labour.
- X. **Strict Action against buyers of Mica Scraps from Children:** Strict actions may be taken against the buyers who buy mica scraps from the children. FIR should be registered against them under relevant sections.
- XI. **Involvement of Skill Council for Mining Sector for skilling of Youth :** May consider to seek the involvement of Skill Council for Mining Sector to provide training to the youth of the area on different skills related to mining.
- XII. **Nutrition for Children:** The national programme of Poshan Abhiyan may be implemented effectively in the area to address the issues of malnutrition amongst the children using locally available nutritious food and creating awareness related to nutrition.
- XIII. **Pencil Scheme:** The PENCIL scheme (Platform for Effective Enforcement of No Child Labour) may be introduced and implemented properly in the district of Koderma and Giridih to help in effective enforcement of no child labour in the areas.

- XIV. **Residential schools & Hostels:** There should be residential schools and hostel facilities in the mica mining areas to accommodate children who are not attending school. This will help in ensuring education of children who are out of school or not attending school. More residential schools under the schemes like Kasturba Gandhi Balika Vidyalayas (KGBVs) and Ashram Schools may be established in the areas.
- XV. **Certification:** Certification for the supply chain process is free of child labour may be encouraged for mica industry. This will help in ensuring accountability in the industry.
- XVI. **Sensitization of the Teachers:** Teachers play the most important role in the education and wellbeing of the children. Therefore, teachers should be oriented on all important issues of the children and the relevant Acts especially the Child Labour (Prohibition & Regulation Act, 2016 & Rules 2017, Juvenile Justice (Care & Protection of Children) Act, 2015, Right to Education Act, 2009 & Prevention of Children from Sexual Offences (POCSO) Act, 2012.
- XVII. **Convergence of NGOs:** It was observed that there is a duplication of work by NGOs as more than one NGO is working on the same issues in certain areas/villages. There is a need to address the issues of duplication of effort for better management of resources available to NGOs. State Commission for Protection of Child Rights (SCPCRs) may like to supervise and guide the NGOs where the services are much needed and discourage the duplicity of effort and resources. Further, the NGOs should report their area of work to the District administration so that a clear picture can be drawn at the district level on presence of the NGOs in the district. This will also help district administration to involve NGOs as per need especially in the areas in the areas of education, health, nutrition, skill development etc.
- XVIII. **Special Training Centre (STC), under Sarva Shiksha Abhiyan (SSA):** The scheme of Special Training Centre (STC) as provided under the framework of Sarva Shiksha Abhiyan may be established in the areas. It may be mentioned that the children in the areas need such programme given their status of not attending the school. This will act as bridge in connecting these children with the formal school or open schooling.
- XIX. **Skill Development Centres:** The Skill Development Centres may be established in the mica mining areas. The skilling programme under the Centres should be as per the National Skills Qualifications Framework (NSQF) which is a competency-based framework that organizes all qualifications according to a series of levels of knowledge, skills and aptitude. If needed, the National Skills Qualifications Committee (NSQC) may prescribe requisite guidelines or direction suitable to the children in the age group of

between 15 to 18 years who are a disadvantageous category for them to acquire skill as per Skill Framework.

- XX. **District Mineral Foundation:** As per provision provided under the Mines and Mineral (Development & Regulation) Amendment Act, 2015; District Mineral Foundation (DMF) is being established in the district affected by mining related operations. The foundation receives 10 per cent royalty from the mines and the fund is being spent on social infrastructure and facilities in the mining areas. Therefore, possibilities may be explored to take benefit of the fund for the development of the region and social infrastructure for the children.

POLICY AND AND LEGISLATIVE FRAMEWORK FOR CHILDREN: KEY MILESTONES

KEY POLICIES

- National Policy for Children, 1974
- Promotion and adoption of International Year of the Child (IYC), 1979
- National Policy for Education, 1986
- Adoption of 1990s' World Child Survival and Development Goals, 1990
- Accession to UN CRC, 1992
- National Nutrition Policy 1993
- National Health Policy, 2002
- National Charter for Children, 2003
- National Plan of Action for Children, 2005
- National Policy for Children 2013
- National Early Childhood Care and Education (ECCE) Policy 2013
- National Early Childhood Care and Education (ECCE) Curriculum Framework 2014
- India New Born Action Plan 2014

KEY LEGISLATIONS

- Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act, 1994
- Commission for Protection of Child Rights Act, 2005

- Prohibition of Child Marriage Act, 2006
- Food Safety and Standards (FSS) Act, 2006
- The Right of Children to Free and Compulsory Education Act, 2009
- The Protection of Children from Sexual Offences Act, 2012
- National Food Security Act, 2013
- Juvenile Justice (Care and Protection of Children) Act, 2015
- The Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2016
- Child Labour (Prohibition and Regulation) Amendment Act, 2016

MECHANISMS & PROGRAMMES PLACED TO ADDRESS THE ISSUES OF CHILD LABOUR

India has passed a number of laws on child labour since Independence. Article 24 of the Constitution of India prohibits employment of children below the age of 14 in factories, mines, and other hazardous employment. Article 21A and Article 45 of the Constitution of India promise to provide free and compulsory education to all children between the ages of 6 and 14.

Right of Children to Free and Compulsory Education Act (RTE), 2009: In 2009, India passed the Right of Children to Free and Compulsory Education Act (RTE). A subsequent section was added to the Constitution of India making it a fundamental right and thus strengthening its implementation. It mandated private schools to shoulder the responsibility of providing easy and free access to children from low socio-economic background preventing child labour and promoting education.

Child Labour (Prohibition and Prevention) Amendment Act, 2016: Government of India has initiated various measures and realization of a multipronged strategy on ground to move firmly towards a child labour free society. A landmark step in the endeavour to have a child labour free society was the enactment of the Child Labour (Prohibition and Prevention) Amendment Act, 2016 in August 2016. It provides for complete prohibition of employment of children below 14 years in all occupations and processes and prohibits employment of adolescents (14-18 years) in hazardous occupations and processes. The age of admission to employment has been linked to the age of compulsory education under Right to Education Act (RTE), 2009.

In order to facilitate compliance of the provisions of the Act, Government of India has also notified the amendment in the Child Labour (Prohibition and Regulation) Central Rules after extensive consultation with the stakeholders. The Rules for the first time provide broad and specific framework for prevention, prohibition, rescue and rehabilitation of child and adolescent workers. To clarify on issues related with help in family and family enterprises and definition of family with respect to child, specific provisions have been incorporated in rules.

Further, it also provides for safeguards of artists which have been permitted to work under the Act, in terms of hours of work and working conditions. The rules provide for specific provisions incorporating duties and responsibilities of enforcement agencies in order to ensure effective implementation and compliance of the provisions of the Act. In order to clarify the issues on Schedule of hazardous occupations and processes, the Schedule has been reviewed and the intent notification has been issued to include a comprehensive list of about 118 occupation and processes.

As per Child Labour Prohibition & Regulation Rules “where a child receiving education in a school remains absent consecutively for thirty days without intimation to the Principal or Head Master of the school, then, the Principal or Head Master shall report such absence to the concerned nodal officer (Chairperson, Child Welfare Committee)”.

National Child Labour Project (NCLP): Government had initiated the National Child Labour Project (NCLP) Scheme in 1988 to rehabilitate working children in 12 child labour endemic districts of the country. The Scheme seeks to adopt a sequential approach with focus on rehabilitation of children working in hazardous occupations & processes in the first instance. Under the Scheme, survey of child labour engaged in hazardous occupations & processes has been conducted. The identified children are to be withdrawn from these occupations & processes and then put into special schools in order to enable them to be mainstreamed into formal schooling system. Project Societies at the district level are fully funded for opening up of special schools/Rehabilitation Centers for the rehabilitation of child labourers. The special schools/Rehabilitation Centers provide: Non-formal/bridge education, Skilled/vocational training, Mid Day Meal, Stipend @ Rs.150/- per child per month, Health care facilities through a doctor appointed for a group of 20 schools. This scheme has been strengthened recently in terms of improving its quality and extending its coverage to all the districts of the country. There are 17 districts currently covered under NCLP projects in Karnataka and 16 districts of Tamil Nadu including the districts of Ramanagara (Bangalore Rural) in Karnataka and Krishnagiri & Salem in Tamil Nadu.

CHILDLINE 1098: Emergency helpline for children in distress: A phone number that spells hope for millions of children across India, CHILDLINE is India's first 24-hour, free, emergency phone service for children in need of aid and assistance. Whether the person is a concerned adult or a child, he/she can dial 1098, the Toll free number to access the child line services. Child Line does not only respond to the emergency needs of children but also link them to services for their long-term care and rehabilitation. The service, till date, has reached out to over three million children across the nation through such calls. CHILDLINE is being run under the Child Protection Scheme, Ministry of Women and Child Development, Government of India. Integrated Child line works for the protection of the rights of all children in general but gives special focus on all children in need of care and protection, especially the more vulnerable sections, which include: street children child labourers working in the unorganized and organized sectors and many other categories of vulnerable children.

The National Commission for Protection of Child Rights (NCPCR) was set up in March 2007 under the Commissions for Protection of Child Rights (CPCR) Act 2005, an Act of Parliament (December 2005). NCPCR is a statutory body under the CPCR Act 2005 under the administrative control of the Ministry of Women & Child Development Government of India. The Commission's Mandate is to ensure that all Laws, Policies, Programs, and Administrative Mechanisms are in consonance with the Child Rights perspective as enshrined in the Constitution of India and also the UN Convention on the Rights of the Child. The Child is defined as a person in the 0 to 18 years age group.

The Commission visualizes a rights-based perspective flowing into National Policies and Programs, along with nuanced responses at the State, District and Block levels, taking care of specificities and strengths of each region. In order to touch every child, it seeks a deeper penetration to communities and households and expects that the ground experiences gathered at the field are taken into consideration by all the authorities at the higher level. Thus the Commission sees an indispensable role for the State, sound institution-building processes, respect for decentralization at the local bodies and community level and larger societal concern for children and their well-being.

Jharkhand State Commission for Protection of Child Rights (JSCPCR): Jharkhand Commission for Protection of Child Rights (JSCPCR) was set up in 12th October, 2012 under the Commissions for Protection of Child Rights (CPCR) Act, 2005, an Act of Parliament (December 2005). Jharkhand State Commission for Protection of Child Rights (JSCPCR) is a statutory body under the Commissions for Protection of Child Rights (CPCR) Act, 2005. The Commission's Mandate is to ensure that all Laws, Policies, Programs, and Administrative Mechanisms are in consonance with the Child Rights perspective as enshrined in the Constitution of India and also the UN Convention on the Rights of the Child in the State.

DRAFT ACTION PLAN – (TO BE DISCUSSED IN THE MEETING AT KODERMA)**EDUCATION:**

Strengthening of SMCs by sensitizing the members about their roles and responsibilities, ensuring 100 per cent admission of children in the locality, preventing children from being dropping out, re-engagement of children in to the school if needed, to conduct safety audit of the school, preparing the need based agenda for the meeting, monitoring of the constructions and repairing in the school, monitoring the expenses etc.

DEVELOPING SCHOOL INFRASTRUCTURE & RESOURCES

The NGOs and Development Partners may pull their resources to strengthen the school infrastructure including school building, boundary wall, kitchen, library, toilets etc. Apart from school infrastructure, resources may be arranged to ensure English teacher, mathematics teacher, physical education instructor, digital class etc.

DIGITALIZATION OF THE ATTENDANCE OF THE STUDENTS:

The school attendance system may be digitalized to monitor the attendance of the students. The purpose of the digitalization is to monitor and ensure that all the children are attending the school. If a child does not attend the school for three consecutive days may be intervened to find out the problem/issue for not coming to school. A Dash-Board may be created to be monitored by the Circle Resource Coordinator, Block Education Officer, and District Education Officer. If there are issues of power/electricity, option for solar energy may be explored to ensure the electricity.

LIBRARY: Library may be set up in the schools where it is not available with books and magazines appropriate to the children as per their age, understanding, geographical locations etc. There should be enough material for children to understand their own culture, geography, topography and community values.

MOTHER TONGUE BASED ECCE:

The ECCE (Early Childhood Care & Education) material prepared by the appropriate authorities may be translated into tribal language and dialects used in the region. This would help in the comprehension and learning of the children.

CHILDREN'S PARTICIPATION:

Children's Committee may be formed in all the school for primary Upper primary and secondary level to ensure their participation in taking decisions on the important matters of the school and students.

SANITARY NAPKIN VENDING MACHINES FOR GIRLS IN THE SCHOOLS:

Installation of sanitary napkin vending machines in the schools especially in schools which are Co-Ed and girls schools should be included. For this activity practice of Chhattisgarh, may be studied for adaptation.

AVAILABILITY OF SECONDARY SCHOOLS: Ensure availability of secondary schools, open schools and learning centres as per the norms with adequate infrastructure.

SCHOLARSHIPS: Scholarship schemes for SC/ST/Minority children may be introduced and expanded.

OPEN SCHOOLING FOR CHILDREN 15-18: Open schools /distant education facility for children of 15–18 years old.

PROMOTION OF SPORTS & GAMES:

Games and Sports may be promoted in the school, habitation and village for engaging children in the sporting activities which is essential for the physical and mental development of the children. The sports which are popular in the areas like; hockey, football, shooting, archery should be promoted.

TOP-UP SERVICES AT ANGANWADIS:

Anganwadi is the platform for the children from 0 to 6 years, pregnant and lactating mothers, and adolescent girls. The important services offered by Anganwadi are; pre-school education, health, nutrition, life skills and vocational training. The NGOS working in the areas may be encouraged to ensure these services are delivered effectively and on top of that provide additional inputs on all these services i.e. pre-school education, health, nutrition, life skills etc. It is important that the NGOs must extend their services to the Anganwadi.

LIVELIHOOD OPTIONS:

Livelihood options for the families and communities may be provided so that families do not depend upon their children to earn for the families. The livelihood options may be as appropriate to the communities of the localities.

PANCHAYATI RAJ INSTITUTIONS:

Sensitization of the Panchayati Raj Institutions and Members of Panchayat on their roles and responsibilities as provided under the Right to Education Act, 2009.

CONVERGENCE OF THE SCHEMES:

There is a need to create convergence platform or facilitation centre for effective delivery of the benefits of the schemes (both Central and State Govt.) to the communities. This may be done on a special drive with designated officers at District and Block level.

COMMUNITY BASED PREVENTIVE SYSTEM: Support development of community-based management and prevention system to address child labour, child migration, trafficking, child marriage, and all forms of abuse, exploitation and violence against children.

VULNERABILITY MAPPING: District-wise vulnerability mapping of children to be undertaken by child protection agencies in coordination with District administration and relevant agencies such as PRIs and ULBs.

COMMUNITY BASED CAMPAIGN: Design and implement mass campaign against trafficking, child labour, child migration, and child abuse in partnership with Police, District administration, State/UTs Government, parents, teachers, doctors, civil society organizations, PRIs community and other stakeholders

NUTRITION REHABILITATION: Provide Nutritional Rehabilitation Centres (NRCs) as facility-based units providing medical and nutritional care to children under 5 years of age who have medical complications. Ensure greater involvement of PRIs for leadership and steering role at grassroots-level to identify severely malnourished children and mobilize parents to go to NRCs